

Appl. No. 09/428,982
Amdt. Dated: 3-15-2004
Reply to Office Action of December 17, 2003

REMARKS

The examiner has rejected claims 1-2, 9-10 under 35 U.S.C. 102(b) as being anticipated by Kakabaker et al, US Patent No. 4,743,034. Applicant submits that Kakabaker does not disclose a stator closely surrounding the shaft in as much as the rotor is between the shaft and the stator, stator removed from shaft i.e. not closely related.

The examiner has rejected claims 1-6, 9-14, and 18-26 under 35 U.S.C. 102(b) as being anticipated by Orlowski, Patent No. 5,174,583. Applicant submits that Orlowski also has rotor 24 between shaft 100 and stator 20 precluding close proximity of the stator to the shaft.

The varied mutations of the claims for the stators configuration are impossible to achieve with stator removed or isolated by the rotor from the shaft.

The examiner further rejects claims 7, 8, 15, 16, 17, and 18 under 35 U.S.C. 103(a).

Claims 7 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Orlowski et al, Patent No. 5,174,583. Orlowski Patent 5,174,583 does not anticipate applicants invention as noted above. The proportion between stator and shaft is not obvious as the 5,174,583 Patent has the rotor between the stator and shaft as noted, so the only proportion would be shaft to rotor, not to stator.

Claims 8 and 16 were rejected as under 35 U.S.C. 103(a) as being unpatentable over Orlowski and in view of Kakabaker. Orlowski does not disclose the invention substantially as claimed as noted in prior arguments. Thus, the addition of Kakabaker to show slots as contrasted to holes does not anticipate as the cavity and relationship between shaft, stator and sump are

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different ergo the application is a a novel relationship between shaft, stator, rotor and sump or collection point.

Also, prior argument of inoperability if holes were adjacent the shaft precludes the combination. None of the references show or describe or suggest having a stator groove or cavity adjacent to and/or exposed to the shaft to strip and collect the lubricant adhering thereto. As Kakabaker states "the stator closely surrounds the rotor" which surrounds the shaft isolating the stator from the shaft. A contrast to applicants invention where both stator and rotor surround said shaft and are adjacent thereto to perform their functions. The stator of stripping and collecting lubricant adhering to shaft and return to a sump.

Applicant believes that this application as now presented is in condition for allowance and action to that effect is respectfully requested.

Respectfully submitted,

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